

Notice of Allowability

Application No.

09/986,142

Examiner

Paul Huber

Applicant(s)

KIKUCHI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 07 January 2002 and 11 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 110701; 111904
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


PAUL W. HUBER
PRIMARY EXAMINER

REASONS FOR ALLOWANCE

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited on the PTO-892 each disclose an information recording device which handles a plurality of recording surfaces.

The following is an examiner's statement of reasons for allowance: the prior art of record considered as a whole fails to teach or suggest either:

1) an information recording device which handles a plurality of recording surfaces comprising: first recording-playback means for carrying out recording of information onto a predetermined recording surface of a first information recording medium which is loadable and removable, and for carrying out playback of information recorded on the predetermined recording surface of the first information recording medium; a second information recording medium which is built-in; second recording-playback means for carrying out recording of information onto the second information recording medium, and for carrying out playback of information recorded on the second information recording medium; first recording control means for making target information be recorded onto the first recording surface of the first information recording medium by the first recording-playback means, in correspondence with an instruction to record information onto the first information recording medium; second recording control means for, when, accompanying recording control of the first recording control means, a remaining capacity of the first recording surface is less than a predetermined capacity, making the target information continue to be recorded on the first recording surface of the first recording medium, and making the same target information be recorded onto the second information recording medium as well; requesting means for requesting a second recording surface of the first information recording medium when, accompanying the recording control of the first recording control means, the remaining recording capacity of the first recording surface is less than the predetermined capacity; and **third recording control means for, when the second recording surface of the first information recording medium is provided in correspondence with a request of the requesting means, stopping recording control by the second recording control means, and making following target information be recorded onto the second recording surface of the first information recording medium, and making the target information partially recorded on the second information recording medium be duplicately recorded with a part of the target information recorded on the first recording surface; or**

2) an information recording device which handles a plurality of recording surfaces comprising: first recording-playback means for carrying out recording of information onto a first information recording medium which is

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loadable and removable, and for carrying out playback of information recorded on the first information recording medium; a second information recording medium which is built-in; second recording-playback means for carrying out recording of information onto the second information recording medium, and for carrying out playback of information recorded on the second information recording medium; first recording control means for making target information be recorded onto the first information recording medium by the first recording-playback means, in correspondence with an instruction to record information onto the first information recording medium; second recording control means for, when, accompanying recording control of the first recording control means, a remaining capacity of the first information recording medium is less than a predetermined capacity, making the target information continue to be recorded on the first recording medium, and making the same target information be recorded onto the second information recording medium as well; requesting means for requesting a replacement first information recording medium for the first information recording medium when, accompanying the recording control of the first recording control means, the remaining recording capacity of the first information recording medium is less than the predetermined capacity; and **third recording control means for, when the replacement first information recording medium is provided in correspondence with a request of the requesting means, stopping recording control by the second recording control means, and making following target information be recorded onto the replacement first information recording medium, and making the target information partially recorded on the second information recording medium be duplicately recorded with a part of the target information recorded on the first information recording medium; or**

3) an information recording method which handles a plurality of recording surfaces, comprising: recording target information onto a first recording surface of a first information recording medium in correspondence with an instruction to record information onto the first information recording medium which is loadable and removable; making the target information continue to be recorded onto the first recording surface of the first information recording medium, and making the same target information be recorded onto a built-in second information recording medium when, accompanying recording of the target information onto the first recording surface of the first information recording medium, a remaining recording capacity of the first recording surface is less than a predetermined capacity; requesting a second recording surface of the first information recording medium when, accompanying the recording of the target information onto the first recording surface of the first information recording medium, the remaining recording capacity of the first recording surface is less than the predetermined capacity; and **stopping recording onto the second information recording medium when the second recording surface of the first information recording medium is provided in correspondence with the request, and making following target information**

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be recorded onto the second recording surface of the first information recording medium, and partially duplicately recording the target information partially recorded on the second information recording medium with the target information recorded on the first recording surface. (bold language emphasized)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Huber whose telephone number is 571-272-7588. The examiner can normally be reached on Compressed Schedule, every Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Paul Huber
Primary Examiner
Art Unit 2653

pwh
April 13, 2005